

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATHRYN KERR,

Plaintiff,

Case No. 12-CV-10119

vs.

HON. MARK A. GOLDSMITH

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.
_____ /

ORDER

**(1) ACCEPTING AND ADOPTING THE REPORT AND RECOMMENDATION OF
THE MAGISTRATE JUDGE DATED JANUARY 10, 2013 (DKT. 22),
(2) GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (DKT. 13),
AND (3) DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (DKT. 18)**

This matter is presently before the Court on the Report and Recommendation (R&R) of Magistrate Judge Laurie J. Michelson, issued on January 10, 2013. In the R&R, the Magistrate Judge recommends that Plaintiff's motion for summary judgment (Dkt. 13) be granted and Defendant's motion for summary judgment (Dkt. 18) be denied, so that pursuant to 42 U.S.C. § 405(g), the decision of the Commissioner of Social Security is remanded. The parties have not filed objections to the R&R, and the time to do so has expired. See Fed. R. Civ. P. 72(b)(2). The Court has reviewed the R&R and concludes that the Magistrate Judge has reached the proper conclusion for the proper reasons. Therefore, the R&R is accepted and adopted as the findings and conclusions of the Court. Accordingly, Plaintiff's motion for summary judgment (Dkt. 13) is granted and Defendant's motion for summary judgment (Dkt. 18) is denied, so that pursuant to 42 U.S.C. § 405(g), the decision of the Commissioner of Social Security is remanded.

SO ORDERED.

Dated: January 31, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 31, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager